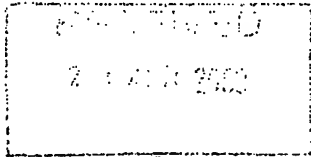


PATENT COOPERATION TREATY

From the:
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

PIZZEYS
GPO Box 1374
BRISBANE QLD 4001



PCT
NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY EXAMINATION
REPORT

(PCT Rule 71.1)

Date of mailing
day/month/year

22 APR 2005

Applicant's or agent's file reference

11569MET/MAS:scj

IMPORTANT NOTIFICATION

International Application No.

PCT/AU02/01504

International Filing Date

11 November 2002

Priority Date

19 November 2001

Applicant

METAL STORM LIMITED et al

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translations to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide

Name and mailing address of the IPEA/AU

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 11569MET/MAS:scj	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).
International Application No. PCT/AU02/01504	International Filing Date (day/month/year) 11 November 2002	Priority Date (day/month/year) 19 November 2001
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ F41F 1/10; F41A 9/72, 9/79; F42B 39/26		
Applicant METAL STORM LIMITED et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 6 sheet(s).

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 7 April 2003	Date of completion of the report 11 April 2003
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer JEFFREY CARL Telephone No. (02) 6283 2543

I. Basis of the report**1. With regard to the elements of the international application:***

- ☐ the international application as originally filed.
- ☒ the description, pages 1, 5-15 as originally filed,
pages 2-4, filed with the demand,
pages , received on with the letter of
- ☒ the claims, pages 17-20 as originally filed,
pages , as amended (together with any statement) under Article 19,
pages 16 filed with the demand,
pages , received on with the letter of
- ☒ the drawings, pages 2/7, 4/7-7/7 as originally filed,
pages 1/7, 3/7 filed with the demand,
pages , received on with the letter of
- ☐ the sequence listing part of the description:
pages , as originally filed
pages , filed with the demand
pages , received on with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig.

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/AU02/01504

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 1-34	YES
	Claims	NO
Inventive step (IS)	Claims 1-34	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-34	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

Claims 1-34: The amended claims are directed to a belt-fed machine gun for firing a multiplicity of cartridges encased in sleeves and linked to form a belt, the machine gun including a plurality of parallel barrels mounted for circumrotation and a plurality of cradles for supporting the cartridges, the cradles being mounted for circumrotation and wherein a number of the cradles are operatively aligned with corresponding barrels and a firing mechanism for initiating a propellant charge in one or more aligned cartridges. The machine gun is further characterised by having a breechblock including a guide to engage with the cartridges for urging the cartridges towards the corresponding barrels.

No individual citation, nor obvious combination of citations, discloses a machine gun having all of the features as defined in the claims.

The closest art of AU 200059526 discloses a machine gun for firing a multiplicity of cartridges encased in sleeves and linked to form a belt, the machine gun including a plurality of parallel barrels mounted for circumrotation and a plurality of cradles for supporting the cartridges, the cradles being mounted for circumrotation. However, there is no disclosure of a breechblock including a guide to engage with the cartridges for urging the cartridges towards the corresponding barrels as is defined in the claims.